

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

JOHN M. SPAHN, IRA, on Behalf of Himself and)
All Others Similarly Situated,)

Plaintiff,)

vs.)

EDWARD D. JONES & CO., L.P., THE JONES)
FINANCIAL COMPANIES, L.L.L.P., EDJ)
HOLDING COMPANY, INC., JOHN W.)
BACHMANN, DOUGLAS E. HILL, MICHAEL)
R. HOLMES, RICHIE L. MALONE, STEVEN)
NOVIK, DARRYL L. POPE and ROBERT)
VIRGIL JR.,)

Defendants.)

CLASS ACTION

Cause No.: 4:04CV00086 HEA

Consolidated with:

4:04CV00189 CAS

4:04CV00225 DJS

4:04CV00282 DJS

4:04CV00466 HEA

4:04CV00467 HEA

**MISSOURI CIRCUIT COURT
TWENTY-SECOND JUDICIAL CIRCUIT
(City of St. Louis)**

RACHEL M. ENRIQUEZ, Custodian for)
Diego Enriquez under IL/UTMA, On Behalf)
of Herself and All Others Similarly Situated,)

Plaintiff,)

v.)

EDWARD D. JONES & CO., L.P., et al.,)

Defendants.)

Cause No. 22042-0126-02

Division No.

**DECLARATION OF KEITH E. JOHNSON FILED IN SUPPORT OF APPLICATION
FOR AWARD OF ATTORNEYS' FEES AND REIMBURSEMENT OF EXPENSES**

I, KEITH E. JOHNSON, declare as follows:

1. I am an associate of the firm Goodin, MacBride, Squeri, Day, & Lamprey, LLP. I am submitting this declaration in support of Plaintiffs' Counsel's application for an award of attorneys' fees in connection with services rendered in the prosecution and settlement of the *Spahn*, *Enriquez*, and *Bressler* class actions, and the reimbursement of expenses incurred by Plaintiffs' Counsel in these actions.

2. I am an attorney in good standing and duly licensed and admitted to the State Bar of California. The testimony set forth in this Declaration is based on information and belief and records maintained in the ordinary course of business.

3. I have collected and reviewed the declarations prepared by Plaintiffs' Counsel in the *Spahn*, *Enriquez*, and *Bressler* class actions submitted with this fee application for the purposes of this declaration.¹ Copies of these declarations are attached as Exhibit A herein.

4. In summary, the declarations indicate that Plaintiffs' Counsel spent a total of 28,593.62 hours preparing, litigating, and settling this *Spahn*, *Enriquez*, and *Bressler* class actions.

5. The total lodestar amount for attorney/paralegal time, based on Plaintiffs' Counsels' standard hourly rates, as reported by counsel is \$12,246,047.65.

6. The total of unreimbursed expenses Plaintiffs' Counsel advanced in the course of this litigation reported by counsel is \$738,335.85.

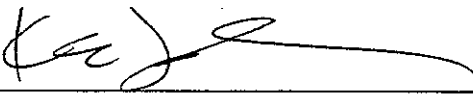
¹ The declarations reviewed were: Declaration of Kirk B. Hulett filed on behalf of Hulett Harper Stewart LLP, counsel of record for the *Enriquez* case; Declaration of Marc L. Godino in Support of Final Approval of Settlement, Award of Attorney Fees and Reimbursement of Costs and Expenses, which included the Declarations of Glancy Binkow & Goldberg, LLP, Murray, Frank & Sailer LLP, Reinhardt Wendorf & Blanchfield, Law Offices of Brian Barry; Declaration of Wayne T. Lamprey on behalf of Goodin, MacBride, Squeri, Day & Lamprey, LLP; Declaration of Matthew Zevin on behalf of Stanley, Mandel & Iola, LLP; Declaration of Robert D. Blitz on behalf of Blitz, Bardgett & Deutsch, L.C.; Declaration of Richard Acocelli on behalf of Weiss & Lurie; Declaration of Jules Brody on behalf of Stull, Stull & Brody; Declaration of Jerome Congress on behalf of Milberg Weiss LLP; Declaration of Charles J. Piven on behalf of Brower Piven; and the Declaration of the Law Offices of Leonard Komen.

7. I am also informed and believe that there is an additional and outstanding invoice for \$31,000.00 that Plaintiffs' Counsel are under a court order to pay to Edward Jones' outside vendor who maintained and produced documents to Plaintiffs in connection with the litigation.

8. I am also informed and believe that Plaintiffs' Counsel contributed a total of \$287,105.02 to two litigation funds in the course of the *Spahn*, *Enriquez*, and *Bressler* class actions (\$187,105.02 to "Edward Jones Litigation Fund I," and \$100,000.00 to "Edward Jones Litigation Fund II.") All but a de minimis amount has been spent (as of 10/4/07, \$3.17 remained in Fund I, and \$193.96 in Fund II). Spreadsheets detailing contributions to and expenditures from the litigation funds is attached as Exhibit B. Contributions to those funds are reflected in the individual firm lodestar declarations attached here.

9. Attached as Exhibit C is a true and correct copy of excerpts of the Edward Jones 2006 Form 10-k.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed this 8 day of October, 2007, at San Francisco, California.



KEITH E. JOHNSON

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